

**SHOREVIEW PLANNING COMMISSION
MEETING MINUTES**

March 27, 2007

CALL TO ORDER

Chair Feldsien called the meeting of the March 27, 2007 Shoreview Planning Commission meeting to order at 7:00 p.m.

ROLL CALL

The following members were present: Chair Feldsien, Commissioners Mons, Proud, Schumer and Wenner.

Commissioners Ferrington and Solomonson were absent.

APPROVAL OF AGENDA

MOTION: by Commissioner Mons, seconded by Commissioner Schumer, to approve the agenda as submitted.

ROLL CALL: Ayes - 5 Nays - 0

APPROVAL OF MINUTES

MOTION: by Commissioner Proud, seconded by Commissioner Wenner, to accept the February 27, 2007 Planning Commission meeting minutes as submitted.

ROLL CALL: Ayes - 3 Nays - 0 Abstain - 2 (Mons, Schumer)

Commissioners Mons and Schumer abstained as they were not present at the February 27th meeting.

REPORT ON CITY COUNCIL ACTIONS

Presentation by City Planner Kathleen Nordine

The City Council approved the comprehensive sign plan for Identigraphics and the Oasis Market on Gramsie Road at its March 5th meeting.

NEW BUSINESS
PUBLIC HEARING - CONDITIONAL USE PERMIT

FILE NO.: 2267-07-08
APPLICANT: MARK KERFELD AND KAREN OLSON
LOCATION: 4864 LARSON ROAD

Presentation by City Planner Kathleen Nordine

This application is for a Conditional Use Permit to build a storage building of 288 square feet in the rear of the property for personal storage. The Conditional Use Permit is required because the structure exceeds the maximum size for a detached accessory structure with an existing attached two-car garage. Two existing sheds will be removed. The property is zoned R-1 with a lot area of 21,479 square feet. It is located adjacent to Xcel Energy property. The house is a split-entry style. The new structure would have a setback of 10 feet from the side property line and 20 feet from the rear property line.

There will also be an expansion to the house with a two-story addition of 528 square feet on the northeast side and a 198 square foot addition off the existing garage at the southeast side for a sauna and additional storage for equipment. Access will be from the tuck-under garage. The additions require no special approvals.

Staff finds the plans in accordance with the City's accessory structure and conditional use permit standards. Screening will be needed on the north side to mitigate visual impact to adjacent properties. Use of the structure would be limited to personal storage. No maintenance of automotive vehicles would be allowed in the structure.

Property owners within 350 feet were notified. Comments were received. One comment opposed expressed concern about accessing the new structure through the Xcel property. The applicant has indicated there is no driveway to the new structure and understands access from the Xcel property would not be allowed. Staff is recommending approval with the conditions listed in the staff report.

Commissioner Proud asked if storage of vehicles should be prohibited in condition No. 3 and whether there is a specific recommendation regarding screening. Ms. Nordine responded that vehicle would have to be carefully defined to prohibit storage. While a car may not be stored, it may be appropriate to store a motorcycle or other type of vehicle. There is vegetation and trees in the area. Her recommendation would be adding shrubs along the foundation to soften the appearance.

Commissioner Schumer asked how prohibiting access from the Xcel property can be enforced. Ms. Nordine stated that staff does not check every day. If a violation is reported, staff will notify the property owner. The conditional use permit can be revoked if violations occur.

Chair Feldsien opened the public hearing.

Mr. Carl Cerney, stated that his property is on Mercury Drive. He maintains the Xcel easement and resents that there will be ruts in it again. He does not want to see any possibility of using the Xcel property for access. He requested careful consideration of access.

Commissioner Mons noted that staff referred to access across the Xcel property during construction. **Mr. Surney** stated that the main damage would occur during construction and he would be opposed to that.

Mr. Mark Kerfeld stated that no access is planned to the storage shed once it is constructed. He has contacted Xcel about access during construction. Xcel has indicated there is no problem as long as he restores the easement to its original condition. No automobiles will be stored in the new shed.

Ms. Karen Olson stated that Xcel will inspect the easement to make sure it is restored. There is no intent to use access once the building is constructed.

MOTION: by Commissioner Mons, seconded by Commissioner Schumer to close the public hearing.

ROLL CALL: Ayes - 5 Nays - 0

Commissioner Proud stated that he supports the proposal but would amend condition No. 3 to state "... no maintenance or storage of automotive vehicles...".

Commissioner Mons noted receipt of one statement that the building is too large for the residential area. He does not agree with that characterization. There are other comments from neighbors who have no concerns.

MOTION: by Commissioner Proud, seconded by Commissioner Wenner to recommend the City Council approve the Conditional Use Permit request submitted by Mark Kerfeld and Karen Olson, 4864 Larson Road, for a detached accessory building, subject to the seven enumerated conditions with the amendment to No. 3 to state "... no maintenance or storage of automotive vehicles ...".

1. The project must be completed in accordance with the plans submitted with the applications. The accessory building shall not exceed 288 square feet in size. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. This approval will expire after one year if a building permit has not been issued and work commenced.
3. The structure shall be used for personal use only and no maintenance or storage of automotive vehicles or commercial use/commercial related storage is permitted.

4. The accessory structure shall be screened from view of adjacent properties and public streets through the use of landscaping, berming, fencing or a combination thereof. A revised site plan identifying a screening plan shall be submitted and approved by the City Planner prior to issuance of a building permit.
5. The exterior design and materials used for the storage building shall be compatible with the dwelling unit and be similar in appearance from an aesthetic, building material and architectural standpoint.
6. A cash escrow is required to insure the removal of the two existing detached accessory structures prior to the issuance of a building permit.
7. Access to the storage building is prohibited from the adjacent Xcel Energy property.

ROLL CALL: Ayes - 5 Nays - 0

VARIANCE

FILE NO.: **2265-07-06**
APPLICANT: **CRAIG & SHARON STRANE**
LOCATION: **4215 Victoria Street N.**

Presentation by Senior Planner Rob Warwick

This proposal is to enlarge the existing entry of their long-faced split-entry home and make it a fully accessible design. The garage would also be enlarged to the rear, which will include a wheelchair lift. The garage addition complies with all regulations, and is subject to administrative review. A variance is needed for the proposed entry, which will be at a 22-foot setback from the front lot line rather than the required 30 feet. The new entry will have a sidewalk and will be large enough to accommodate a wheelchair.

The applicant states that hardship exists with the placement of the house on the property. The design and function of the existing entryway does not allow accessible living space.

Staff agrees that the new entryway will be an improvement to the house and is a reasonable use. However, the variance exceeds the minimum needed. The American Disability Act (ADA) standards require a 5-foot minimum radius for accessibility. Staff believes the entryway can be reduced to a 6-foot depth and be in closer compliance with City setback regulations. The house is on a broad curve, but there is vegetation to screen the addition. It will not change the character of the neighborhood.

Property owners within 150 feet were notified of the project. Two comments were received in support of the project.

Commissioner Wenner asked the reasons the applicant would prefer the larger entryway rather

than the smaller one that staff is recommending. Mr. Warwick stated that the applicant believes that a larger space is needed for the functions of a wheelchair and stair lift.

Commissioner Mons noted that from the curb, this house is located approximately 60 feet back, and he does not have a concern about the two additional feet for the entryway. A normal City road would have a 50-foot right-of-way.

Commissioner Proud asked if the ADA states recommended standards. Mr. Warwick answered that only minimums are stated.

Mr. Strane, Applicant, stated that the changes to the house are to provide for needs in older years so they can stay in their home. This project will be a nice addition and improvement to the house. He does not believe it is out of line.

Commissioner Proud stated that he supports proposal as is. It will be an improvement to the community, and there is the additional right-of-way

MOTION: by Commissioner Mons, seconded by Commissioner Proud to adopt Resolution 07-17, approving the variance request submitted by Craig and Sharon Strane for their property at 4215 Victoria Street North. The request allows reduction of the required 30-foot front yard setback to 22 feet for an 8-foot by 13-foot front entry addition. Hardship is present due to:

1. The existing landing area of 36 square feet is not adequate for accessible ingress and egress from the split entry house. Enlarging the entry area to allow wheelchair accessibility is a reasonable use otherwise denied by the terms of the Development Code due to the setback of the house from the front lot line.
2. The small area of the landing is exacerbated by the swing of the entry door.
3. The street right-of-way width of 86 feet greatly exceeds the standard 50-foot width, and so the addition will be located further from the curb, than is typical for a standard street width.

This approval is subject to the following conditions:

1. The project must be completed in accordance with the plans dated February 16, 2007 and submitted as part of the Variance application. The house shall maintain a minimum setback of 22 feet from the front lot line. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. This approval will expire after one year if a building permit has not been issued and work has not begun on the project.
3. This approval is subject to a 5-day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.
4. The entry addition shall be constructed of finish materials matching the finish on the

existing house.

Discussion:

Commissioner Mons stated that while he understands staff's position, he does not believe the additional two feet will make a significant difference.

ROLL CALL: Ayes - 5 Nays - 0

Chair Feldsien called a five-minute break and reconvened the meeting at 8:00 p.m.

PLANNED UNIT DEVELOPMENT - CONCEPT

FILE NO.: 2266-07-07
APPLICANT: MENDOTA HOMES, INC./LOUIS LANGE
LOCATION: 26-30-23-33-0033 - VACANT PROPERTY ON LEXINGTON
AVENUE, SOUTH OF ISLAND LAKE AVENUE AND NORTH OF
COUNTY ROAD E

Presentation by Senior Planner Rob Warwick

A concept application for a Planned Unit Development (PUD) has been submitted. This is an optional stage in the development review process and is intended to provide comments and feedback to the applicant prior to their preparing detailed plans.

The property is on the east side of Lexington Avenue, west of the Ramsey County Open Space, north of County Road E and the railroad, and south of the Island Lake single-family residential neighborhood. Ramsey County owns a 30-foot strip of land north of the property. A trail is located on that strip of parkland. The property consists of 4.5 acres with 505 feet of frontage on Lexington. There is wetland on the property. The wetland is approximately 2.4 acres and is designated as protected waters under the jurisdiction of the DNR.

The proposal is for a three-story condominium building with 33 units for people aged 55 plus. The west wall of the garage will be above grade because of topography and the building will appear as four stories from Lexington. The building siding includes hardi-board, brick and will use asphalt shingles. Site access is from a driveway off Lexington in the northern portion of the property and the driveway will encroach on the wetland. Such encroachment will require approval from other agencies. The building has a 39-stall underground parking garage. There will be two outdoor parking areas with nine additional parking spaces.

If the project were to go forward, a Comprehensive Plan amendment would be required at the Development Stage Review to rezone the property from Recreation Open Space (ROS) to High-density Senior Housing (HSR) and change the zoning designation from Urban Underdeveloped (UND) to Planned Unit Development (PUD). A preliminary plat will also be required.

Key issues identified by staff are:

- Consistency with the City's Comprehensive Plan: Currently this parcel is designated as ROS, which identifies land owned by, or planned to be purchased by Ramsey County for park and open space. The designation was established due to its proximity to the open space and the natural features of the site. The County does not plan to purchase the site but would accept it as gift.
- Land use compatibility: There are a mix of planned land use types in the area with Recreation Open Space (ROS) immediately to the north and east. Ambassador Church, designated Institutional, is also to the north, as is the Island Lake neighborhood, which has an RL, Low Density Residential planned land use. North of the Island Lake neighborhood is the YMCA, another Institutional planned land use. The Soo Line Railroad is south as is County Road E with Office and Commercial planned land uses. The City of Arden Hills is west of Lexington Avenue with commercial and retail uses.
- The proposed senior building would be about 180 feet from the nearest home in the Island Lake neighborhood and approximately 35 feet from the County trail. There is no access to Island Lake Avenue from the site. Storm water management, traffic and site access should not impact the Island Lake neighborhood. It is an attractive site for seniors with the nearby park and wooded setting. This development would provide life cycle housing opportunities to serve Shoreview's aging population.
- Density of proposed use: The 7.3 unit per acre density is based on the gross site area. Excluding the wetland of 2.4 acres, density becomes 15.7 units per acre. Both the gross and net densities are at the low range for HSR development. The Island Lake neighborhood to the north has a density of 1.9 units per acre.
- Intensity of development: Upland area surrounds the wetland so that intensity is greater than density. The small setback and height increase intensity. The proposed building is 14,000 square feet. The City has three other senior housing facilities from 42,000 to 52,000 square feet. These facilities range from 68 to 108 units. The surface coverage proposed is 14% of the site area. Parking of 1.3 spaces per unit is consistent with ratios at other senior facilities.
- Visual impact: The building will be approximately 54 feet in height from peak to grade from Lexington and the west. Viewed from the north and east, it will be 44 feet because of topography. There can be deviation from the maximum 35-foot height by adding a foot of setback for every additional foot of height. Landscaped screening will be limited by the narrow strips of green space along the north and east. There are significant mature trees on residential and park properties that will aid to minimize visual impact.
- Environmental impacts: Two basins comprise the DNR wetland, one located on

the subject property and the other located in the park. These are connected by a drainage channel. The driveway will have wetland impacts. Approval and permits would be required from Rice Creek Watershed District. Site grading will remove vegetation. Trees larger than 4 inches in diameter must be inventoried. Storm water will be managed with pervious pavements and infiltration.

A number of agencies have been notified. Ramsey County Conservation District commented that the setback from the wetland is too small. Ramsey County Parks expressed concern about potential tree impact. Ramsey County Public Works has stated that a left turn access will be difficult during peak hours, but that there are few trips generated during peak hours from a senior building. Lake Johanna Fire Department commented that site access is sufficient.

Notices were mailed to property owners north to the YMCA, including Arden Hills. Six written comments have been received. Concerns have been expressed about traffic safety, the building too big for the area, and wetland and environmental impacts.

This plan was presented to the City's Environmental Quality Committee (EQC). Comments from the Committee included: 1) fitting a large development into a tight area, 2) the wetland would be adversely impacted with the driveway, 3) questioned how the large wetland area will affect the allowed area of impervious surface on the site, and 4) whether a green roof would be considered to help eliminate runoff.

Commissioner Mons asked if the pond would have to be enlarged when the driveway is built over it to meet storm water management requirements. Mr. Warwick answered that the driveway portion that crosses wetland will have to be mitigated at the required two-to-one ratio. That is determined by Rice Creek Watershed District, the local governmental unit that administers the Wetland Conservation Act.

Commissioner Mons asked if there is any concern that the outside 10 parking spaces might not be sufficient, and there appears to be no other opportunity for overflow parking. Mr. Warwick stated that detailed parking needs would be addressed at the Development Stage Review.

Chair Feldsien asked if the 1.3 parking spaces per unit is a standard. Mr. Warwick stated that 1.3 spaces is consistent with the other senior housing developments in the City.

Commissioner Proud requested further verification from the Fire Department that a single access to this size development is adequate.

Mr. John Mathern, Mendota Homes, Developer, stated that an informational meeting was held with the neighborhood. Mr. Lange has owned the property since 1966. Until 2000, the property was zoned for industrial use. In 2000, the city changed the zoning to recreational use for possible extension of the Ramsey County Open Space. Mendota Homes has not rushed into this project but has had discussions with Ramsey County, the

DNR, Rice Creek Watershed District and a number of other agencies regarding this development. The property is delicate with the amount of wetland present. The owner did not create the wetland, but the wetland has increased over the years. Originally, there was no standing water, but there is standing water today. The water level is controlled by an outlet that channels water across Lexington to the storm sewer. A wetland delineation is based on the presence of moisture, soil type and predominant vegetation type. The development is constrained because of the large wetland and limited access to Lexington Avenue. The access would be just south of the Ramsey County trail at the north end of the site. There has been a lot of neighborhood concern expressed about this. The access cannot align with the entrance to Shannon Square on the other side of Lexington because of the amount of wetland that would be impacted. A variance will be requested regarding setbacks from Ramsey County Open Space. The side setback in Shoreview is 30 feet. The building at its closest point will be within 8.5 feet of the Ramsey County Open Space property line.

Thirty units is the minimum for a homeowners association. A senior building requires the least amount of parking for a multi-family residence. Mendota Homes has done four senior projects. Although the age is advertised as 55 and older, their experience has been that the residents who buy these units are quite a bit older than 55 and parking requirements less. With parking under the building, the plan is to minimize the amount of impervious surface. A senior residence would mean the least amount of traffic for residential and the least amount of impervious surface. Pervious pavement will be used to allow infiltration.

Chair Feldsien opened the discussion to public comment.

Mr. Rolf Oliver stated that he lives in the Island Lake neighborhood. Lexington is the longest avenue in Ramsey County and traffic will only increase. He envisions higher density retail on the Arden Hills side. As rail transportation becomes more important, it is reasonable to believe that the Soo line will increase its capacity. The access point is very constrained. The traffic patterns into Shannon Square across Lexington are very tight. He would encourage that the site be considered in terms of growth in the next ten years. The development is squeezed tightly into the northeast corner of the site. There are 8 feet to the open space and 16 feet to the wetland. It is too much building for the site. Units on the east will get little sunlight because of the wooded area. While units on the west will get more sunlight, there will be the acoustical problems of all the traffic on Lexington. There are no outdoor amenities--no yard space or walking space. He would argue strongly to retain the ROS zoning that is current on the property.

Mr. Jason Olson, 1076 Island Lake, stated that he can understand that a senior housing development might be the best use of the options available for this site, but he is concerned about a three- or four-story building in his back yard. Lighting is a big concern as are the set backs. It is the size, height and lighting from this size building that is of most concern.

Mr. Vern Hand, 1072 Island Lake Avenue, stated that his concern is that 4.5 acres of open space will be gone. A building will be built on approximately 14,000 square feet of land, which is about all that is available on this site. It should be left as open space.

Mr. Merrill Morris, Island Lake Avenue, commended the Commission and City Council for the wonderful work that has been done over the years in preserving the City and advertising it on the website as a family friendly community with open space and consideration for the environment. This site is one of the treasures left in the City that should be preserved, especially considering the constraints for development. He would like the City's legacy to bless this site as open space for future generations.

Mr. Roger Klinkhammer, 1015 Island Lake Avenue, stated that he supports Mr. Morris' comments with the quote from Warren Buffet, "Today someone is sitting in the shade of a tree because someone a long time ago planted a tree." A master evacuation plan will be needed because of the railroad and possibility of accidents or leaky cars.

Ms. Betty Bardisol, 970 Island Lake Avenue, stated that several times fires have been started by the railroad and is something residents contend with. The fire issue is something to be concerned about with such a large building.

Mr. Mathern stated that the Island Lake neighborhood is a magnificent area with one street and houses on both sides against open space. His consideration is that the site is 4.5 acres that probably no public agency will buy. Even if it were converted to parkland, there would be no place for people to come and park cars. The people who buy the condos will likely be from Shoreview, Arden Hills and Roseville. The development proposed is the lowest amount of impervious surface. Six-inch waterlines will be brought in for fire suppression. The outside will have underground irrigation. There are traffic and wetland issues, but initial discussions with the DNR and Ramsey County have not deemed this proposal as unreasonable.

Chair Feldsien asked if the units would be sold or rented. Secondly, how will noise be mitigated? **Mr. Mathern** stated that noise would be minimal except for the passing trains. The biggest noise issue is common to any apartment building, the noise generated from within the building. The condos will be sold. A homeowners association will be established, and the building professionally managed.

Chair Feldsien asked if any consideration has been given to a lower height. **Mr. Mathern** responded that a certain level of density is necessary for the project to be viable. A large investment will be made by owners on the outside of the property. The association will inherit a wetland that has to be taken care of. Condominium housing is efficient. A flat roof was considered, but the building would have a commercial look.

Chair Feldsien asked if a land swap with Ramsey County has been considered. **Mr. Mathern** stated that he approached Ramsey County with that suggestion, but the County is not interested.

Commissioner Mons stated that his concern with this project is the control of traffic. He would see the access as a right only. **Mr. Mathern** stated that he would not oppose a right-in-right-out access and suggested it to Ramsey County, but he did not get a positive response.

Commissioner Mons asked if Ramsey County has any plans to clean out dead brush that is on both sides of the walking path. **Mr. Mathern** stated that it is his understanding that Ramsey County has no maintenance plans for the area. As part of development, there would be some cleanup on the development site. The detailed landscape plan will include cleanup the developer will do.

Commissioner Mons asked what amenities would be provided in the building. **Mr. Mathern** answered that there will be an exercise room, a community room, elevator, underground parking, programs through the homeowners association. There will be 11 units per floor. Pricing is from approximately \$200,000 to \$325,000, which compares to the median home prices in Shoreview/Arden Hills.

Commissioner Mons asked how rentals are handled if condo owners should choose to rent. **Mr. Mathern** stated that an owner is not prohibited from renting the unit. A one-year lease form must be used that is approved by the management company. His experience is that very few units have been rented.

Chair Feldsien noted comments received from Commissioner Solomonson and asked how those can be relayed. Mr. Warwick stated that a copy of Commissioner Solomonson's comments will be given to the applicant and included in the Council packet.

Commissioner Proud expressed concerns about the following: 1) single access because of safety; 2) more information on the building height and compliance with maximum height allowed; 3) screening from properties to the north; 4) more information on obligations of owners for maintenance of infiltration basins and pervious surface areas; 5) amount of exterior parking; 6) walkway access to business areas; and 7) ability to meet criteria for a variance.

Commissioner Mons stated that the open space of this property has been a gift to the Island Lake neighborhood from Mr. Lange who paid \$19,000 in taxes last year. Residents often want more open space but do not want to pay higher taxes. It is difficult for him to reconcile those two concerns. He lives next to SummerHouse and his experience is that there could not be quieter neighbors than senior housing. He does not believe lighting will be an issue. The four-story height viewed from Lexington is not a concern for him. He would like more information from the Fire Department regarding the fire issues with the railroad. Scandia Shores is on the corner of Highway 96, and noise is not an issue there so he does not believe the noise from Lexington will be an issue. Setbacks are not an issue because the short setbacks are from open

space. One concern he does have is the access, which he would see as right turn only. Also, he is concerned about exterior parking. There is no opportunity for overflow parking. On the whole, this is a reasonable proposal on a delicate piece of property. Conceptually, he can support this proposal.

Commissioner Wenner stated that the amenities enjoyed by the Island Lake neighborhood would be enjoyed by seniors who live in this building. His major concerns are the scope and economies of scale as related to the neighborhood. However, this project meets many criteria that Shoreview has identified as housing needs in the community. Also, senior developments are not being concentrated in one area of the City.

Commissioner Schumer agreed with Commissioner Mons' comments regarding the open space that has been provided by Mr. Lange. He cannot think of a better development than senior housing. If the Rice Creek Watershed District approves the needed permits and other agencies do not oppose this development, he cannot see that the City would have a lot of opposition. He would favor this development.

Chair Feldsien stated that his concern would be for visitor parking, which he would like the developer to explore further. He is also concerned about the building height as seen from Island Lake. He would support a right-turn only access. Setbacks are not a concern except possibly the setback from the Island Lake neighborhood. The fire and noise issues from the railroad are also concerns.

Commissioner Feldsien thanked the residents and applicant for their comments, and asked staff when the City Council would review the application. Ms. Nordine said the application would be considered at the April 16th Council meeting.

MISCELLANEOUS

Chair Feldsien noted that he and Commissioner Schumer are scheduled to respectively attend the April 2nd and April 16th City Council meetings.

ADJOURNMENT

MOTION: by Commissioner Mons, seconded by Commissioner Schumer to adjourn the March 27, 2007 Planning Commission meeting at 9:58 p.m.

ROLL CALL: Ayes - 5 Nays - 0

ATTEST:

Kathleen Nordine
City Planner